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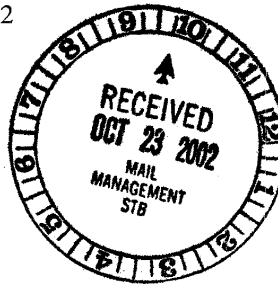
October 22, 2002

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**BY FEDERAL EXPRESS**

Vernon A. Williams, Secretary  
Surface Transportation Board  
Case Control Unit, Suite 713  
1925 K. Street, N.W.  
Washington, DC 20423-0001



RE: STB Docket No. AB-55 (Sub-No. 588X), *CSX Transportation, Inc. – Abandonment Exemption – in Polk and McMinn Counties, TN*

Dear Mr. Williams:

Tennessee Overhill Heritage Association ("TN Overhill") hereby requests that it be substituted for Southeast Local Development Corporation ("SLDC") as the interim trail user under the Notice of Interim Trail Use ("NITU") issued with the Board's Decision and Notice of Interim Trail Use or Abandonment, served July 19, 2002.

Attached to this request is a Statement of Willingness to Assume Financial Responsibility for the Right-of-Way that has been executed in behalf of TN Overhill.

I am authorized by SLDC to state to the Board that SLDC agrees to the requested substitution.

I am authorized by CSX Transportation, Inc. ("CSXT"), through its authorized representative, Bobbi League, to state that CSXT agrees to negotiate with SLDC for railbanking and interim trail use of the subject Right-of-Way. In fact, SLDC and CSXT have reached an agreement for such railbanking and interim trail use.


ENTERED  
Office of Proceedings

OCT 23 2002

Part of  
Public Record

Ten copies accompany the original of this request. All parties being served.

Very truly yours,

A handwritten signature in black ink, appearing to be 'C. Fisher', written in a cursive style.

Charles G. Fisher

Cc: All parties of record

**Statement of Willingness To Assume Financial Responsibility**

In order to establish interim trail use and rail banking under 16 U.S.C. 1247 (d) and 49 CFR 11.52.29, Tennessee Overhill Heritage Association (TOHA) is willing to assume full responsibility for management of, for any legal liability arising out of the transfer or use of (unless the user is immune from liability, in which case it need only indemnify the railroad against any potential liability), and for the payment of any and all taxes that may be levied or assessed against the right-of-way owned by CSX Transportation, Inc. (CSXT) and operated by CSXT. The property, known as the Etowah-Copperhill rail line extends from railroad milepost OKX 339.0 near Etowah, Tennessee to railroad milepost OKX 382.47 near Copperhill, Tennessee, a distance of 43.47 miles in Polk and McMinn Counties, TN. The right-of-way is part of a line of railroad proposed for abandonment in Docket No. STB Ab-55 (Sub-No. 588X). A map depicting the right-of-way is attached. TOHA acknowledges that use of the right-of-way is subject to the user's continuing to meet its responsibilities described above and subject to possible future reconstruction and reactivation of the right-of-way for rail service. A copy of this statement is being served on the railroad on the same date it is being served on the Board.



Linda Caldwell, Executive Director

Tennessee Overhill Heritage Association

